IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

Crl.MC.No. 1911 of 2007()

(CRIME NO. 307/2006 of NJARAKAL POLICE STATION)

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PETITIONER:

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1. MANIKUTTAN, S/O.CHAVARO, OLATTUPURATHU VEEDU, NEAR MANAPPILLY BRIDGE, CHERAI.

2. SHERLINKER ROOKFELLER, S/O.KOCHUNNY, AGED 22, AMMAPARAMBIL, ELAMKUNNAPUZHA.

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. GIKKU JACOB, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 20/06/2007, ALONG WITH CRMC NO. 1916 OF 2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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Crl.M.C.Nos.1911 of 2007 &
1916 Of 2007

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Dated this the 20th day of June, 2007

ORDER

Petitioners have been granted bail under Section 302 IPC subject to conditions. Inter alia, the condition is imposed that the petitioners should not enter the jurisdiction of Njarakkal Police Station. That condition was imposed as per orders dated 30.11.06 and 18.1.07. Twice attempts were made to modify the said condition and this Court had turned down the said prayers.

2. Learned counsel for the petitioners submits that the condition had remained in force for a long period of time and in these circumstances, the said condition may now be deleted. The learned Public Prosecutor opposes the application on the ground that peace and harmony have not returned to the locality and the law and order situation still continues to be tense and grave.

3. Learned Public Prosecutor submits that in these circumstances the condition may be permitted to remain in force for some further period of time.

4. I have considered all the relevant inputs and I am satisfied that the condition can now be deleted with effect from a future date. All

other conditions shall remain in force.

5. In the result these petitions are allowed and the condition that the petitioners should not enter the limits of Njarakkal Police Station shall continue to remain in force only till 31.07.07. All other conditions shall remain in force until further orders.

(R.BASANT, JUDGE)

sj